



THE

JAMMU & KASHMIR GOVERNMENT GAZETTE

Vol.132] Jammu, Thu., the 8th August, 2019/17th Srav., 1941. [No. 19

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PART I-A

Jammu & Kashmir Government–Orders

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HIGH COURT OF JAMMU AND KASHMIR
(Office of the Registrar General at Srinagar)

Subject :ô Protocol for Recording Evidence of Vulnerable Witnesses.

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Notification

No. 42 Dated 29-05-2019.

The Chief Justice of High Court of Jammu and Kashmir is pleased to frame the following protocol for recording evidence of vulnerable witnesses in the State of Jammu and Kashmir :ô

Preamble

The purpose of this protocol is to present guidelines and mandatory recommendations, to improve the response of the justice dispensation system to vulnerable witnesses¹

This protocol prescribes guidelines while recording depositions of vulnerable witnesses in order to enable them to give their best evidence in criminal proceedings. Each witness is unique and is to be handled accordingly. Some of the most challenging cases handled by judges during the course of their careers are those involving vulnerable witnesses as, what happened to or was witnessed by them, impact significantly on their quality of deposition and potentially outcome of a trial.

¹ The UN Model Law on Justice in matters involving child victims and witnesses of crime published by the UN Office on Drugs and Crime, Vienna, UN, New York 2009 and Guidelines for recording of evidence of vulnerable witnesses in criminal mattersø issued by the Delhi High Court.

Vulnerable witnesses, find the criminal justice system, and particularly the courtroom experience, intimidating. Under these circumstances, a vulnerable witness would provide weak testimony and contribute less information than should have been elicited. Further, the lengthy process of navigating the formal and adversarial criminal justice system can affect the vulnerable witnesses' psychological development and disable this sensitivity in significant and long-lasting, even permanent, ways.

The judicial system has to strike a balance between protecting the accused person's right to a fair trial, and ensuring that witnesses who give evidence in the case are enabled to do so, to the best of their ability.

This protocol, intended to further the ends of Justice, is designed with the following broad objectives :

1. *Short Title, Applicability and Commencement.*—

2. *Construction and Interpretation of the protocol.* This protocol shall be liberally construed and interpreted, in view of the extant

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laws, to uphold the interests of vulnerable witnesses and to promote their
maximum accommodation without prejudice to the right of the accused
to a fair trial and to further the ends of justice.

3. *Definitions.*

- (a) **Vulnerable Witness.** means and includes :
 - (i) any child witness who has not completed 18 years of age ;
 - (ii) any victim of sexual violence ;
 - (iii) any material witness in a dangerous crime ;
 - (iv) such other witness as may be deemed vulnerable by the trial court for reasons therefor to be recorded in writing.
- (b) **Support Person** - means and includes a guardian *ad litem*, a legal aid lawyer, facilitators, interpreters, translators and any other person appointed by court to provide support, accompany and assist the vulnerable witness to testify or to attend judicial proceedings.
- (c) **Best Interests of the Child** - means circumstances and conditions most congenial to security, protection of the child and most encouraging to his physical, psychological and emotional development and shall also include available alternatives for safeguarding the growth and development of the child.
- (d) **Development Level** - Development level refers to the specific growth phase in which most individuals, are expected to behave and function in relation to the advancement of their physical, socio economical, cognitive and moral abilities.
- (e) **In-Camera Proceedings** - means criminal matters involving sexual violence or part thereof, criminal and civil cases wherein the public and press are not allowed to participate, for good reason as adjudged by the court or by law.
- (f) **Concealment of Identity of witness** - means and includes any condition prohibiting publication of the name, address and other particulars which may lead to the identification of the witness.
- (g) **Comfort Items** - Comfort items mean any article which shall have a calming effect on a vulnerable witness at the time of deposition and may include stuffed toy, blanket or book.

- (h) **Competence of a vulnerable Witness** - Every vulnerable witness shall be competent to testify unless the court considers that they are prevented from understanding the questions put to them, or from giving rational answers to those questions due to tender years, disease, either of body or mind, or any other cause of the same kind.

Explanation :oA mentally ill person may also be held competent unless he is prevented by his mental condition to understand questions.

- (i) **Court House Tour** - A pre-trial tour of court room to familiarize a vulnerable witness with the environment, the basic process of adjudication and roles of each court official.
- (j) **Descriptive Aids** - A human figure model, anatomically correct dolls or a picture or anatomical diagrams or any other aids deemed appropriate to help a vulnerable witness to explain an act or a fact.
- (k) **Live Link** - Live link means and includes a live television link, audio-video electronic means or other arrangement whereby a witness, while absent from the courtroom is nevertheless present in the court room by remote communication using technology to give evidence and be cross-examined.
- (I) **Special Measure-** means and include the use of any mode, method and instrument, etc, considered necessary for providing assistance in recording deposition of vulnerable witnesses.
- (m) **Testimonial Aids-** means and includes screens/ live links, image and/or voice altering devices or any other technical devices.
- (n) **Secondary Victimization-** means victimization that occurs not as a direct result of a criminal act but through the response of institutions and individuals to the victim.
- (o) **Revictimization-** means a situation in which a person suffers more than one criminal incident over a period of time.

8. *Competency of vulnerable witness.* Every vulnerable witness shall be presumed to be qualified as a witness unless prevented by the following:

- Explanation* :—The court shall conduct a competency examination before recording the testimony of such witness, or on an application of either prosecution or defence or *suo motu*.

- (i) the judge and such court personnel deemed necessary and specified by order of the judge concerned ;
- (ii) the counsel for the parties ;
- (iii) the guardian *ad litem* ;

- (i) the location of the defendant/ accused in the dock ;
- (ii) court officials (what their roles are and where they sit) ;
- (iii) who else might be in the court, for example those permitted in the public gallery ;
- (iv) the location of the witness box ;
- (v) a run-through of basic court procedure ;
- (vi) the facilities available in the court ;
- (vii) discussion of any particular fears or concerns with the intermediaries, prosecutors and the judge to dispel the fear, trauma and anxiety in connection with the prospective deposition at court ;

15. *Appointment of Guardian ad litem.* The court may, in an appropriate case, appoint any person as a guardian *ad litem*, as per law to a witness who is a victim of or a witness to a crime or in any case having regard to his best interests after considering the background of the guardian *ad litem* and his familiarity with the judicial process, social service programs, and human development. If the witness is a child, preference would be given for appointment of a guardian *ad-litem* to the parents of the child, if qualified. The guardian *ad litem* may be a member of bar/practicing advocate, except a person who is a witness in any proceeding involving the vulnerable witness.

- (i) attend all depositions, hearings, and trial proceedings in which the vulnerable witness participates ;
- (ii) make recommendations to the court concerning the welfare of the vulnerable witness keeping in view the needs of the witness and observing the impact of the proceedings on him ;
- (iii) explain in a language understandable to the vulnerable witness, all legal proceedings, including police investigations, in which he is involved ;
- (iv) assist the vulnerable witness and his family in coping with the emotional effects of participating in any case/proceedings, especially a crime and subsequent criminal or non-criminal proceedings in which the witness is involved ;
- (v) remain with the vulnerable witness while the vulnerable witness waits to testify ;

[illegible]

17. *Legal assistance.* A vulnerable witness may be provided with legal assistance by the court, if the court considers the assignment of a lawyer to be in the best interests of the witness, throughout the justice process in the following instances :

- (a) at the request of the support person, if one has been designated ;
- (b) pursuant to an order of the court on its own motion¹

18. *Court to allow presence of support persons.*ô

- (a) A court shall allow *suo motu* or on request, verbal or written, to a vulnerable witness testifying at a judicial proceeding to have the presence of one person of his own choice to provide him support who shall within the view and if the need arise may accompany the witness to the witness stand, or in the deposition room, provided that such support person shall not completely obscure the witness from the view of the opposing party or the judge².
- (b) The court may allow the support person to hold the hand of the vulnerable witness or take other appropriate steps to provide emotional support to the vulnerable witness in the course of the proceedings.
- (c) The court shall instruct the support persons not to prompt, sway, or influence the vulnerable witness during his testimony. The support person shall also be directed that he/she shall in no circumstances discuss the evidence to be given by the vulnerable witness.
- (d) Where no other suitable person is available, only in very rare cases should another witness in the case be appointed as a support person. The court shall ordinarily appoint a neutral person, other than a parent, as a support person. It is only in exceptional circumstances keeping the condition of the vulnerable witness in mind, that the court should appoint a parent as a support person.

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¹ Section 41 of the Jammu & Kashmir Protection of Children from Sexual Violence Act, 2018 (Governor's Act No. XXXVI of 2018)

² Section 34 (4) of the Jammu & Kashmir Protection of Children from Sexual Violence Act, 2018 (Governor's Act No. XXXVI of 2018)

20. *Court to appoint facilitator.* To assist the vulnerable witnesses in effectively communicating at various stages of trial and or to co-ordinate with the other stake holders such as police, medical officer, prosecutors, psychologists, defence counsels and courts, the court shall allow use of facilitators.

The court may, *suo motu* or upon an application presented by either party or a support person of vulnerable witnesses, appoint a facilitator if it determines that such witness is finding it difficult to understand or respond to questions asked.

*Explanation :*ô (i) The facilitator may be an interpreter, a translator, child psychologist, psychiatrist, social worker, guidance counselor, teacher, parent, or relative of such witness who shall be under oath to pose questions according to meaning intended by the counsel, or the court.

(ii) If the court appoints a facilitator, the respective counsels for the parties shall pose questions to the vulnerable witness only through the facilitator, either in the words used by counselor, if the vulnerable witness is not likely to understand the same, in words or by such mode as is comprehensible to the vulnerable witness and which convey the meaning intended by counsel.

21. *Right to be informed.* A vulnerable witness, his or her parents or guardian, his or her lawyer, the support person, if designated, or other appropriate person designated to provide assistance shall, from their first contact with the court process and throughout that process, be promptly informed by the Court about the stage of the process and, to the extent feasible and appropriate, about the following :

(a) procedures of the justice process including the role of vulnerable witnesses, the importance, timing and manner of testimony. and the ways in which proceedings will be conducted during the trial ;

- (b) existing support mechanisms for a vulnerable witness when participating in proceedings, including making available appropriate person designated to provide assistance ;
- (c) specific time and places of hearings and other relevant events ;
- (d) availability of protective measures ;
- (e) where the vulnerable witness is a child, of the relevant rights of child victims and witnesses pursuant to applicable laws, the Convention on the Rights of the Child and other international legal instruments, including the Guidelines and the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, adopted by the General Assembly in its resolution 40/34 of 29 November 1985 ;
- (f) the progress and disposition of the specific case, including in a criminal case the apprehension, arrest and custodial status of the accused and any pending changes to that status, the prosecutorial decision and relevant post-trial developments and the outcome of the case.

22. *Language, interpreter and other special assistance measures.*—

- (i) the court shall ensure that proceedings relevant to the testimony of a vulnerable witness are conducted in language that is simple and comprehensible to the witness.
- (ii) if vulnerable witness needs the assistance of interpretation into a language or mode that the witness understands, an interpreter shall be provided free of charge¹.
- (iii) if, in view of the child's age, level of maturity or special individual needs of a witness which may include but are not limited to disabilities if any, ethnicity, poverty or risk of revictimization, the witness requires special assistance measures in order to testify or participate in the justice process, such measures shall be provided free of charge².

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¹ Section 39(1) of the Jammu & Kashmir Protection of Children from Sexual Violence Act, 2018(Governor's Act No. XXXVI of 2018)

² Section 39(2) of the Jammu & Kashmir Protection of Children from Sexual Violence Act, 2018(Governor's Act No. XXXVI of 2018)

- (2) Any information including name, parentage, age, address, etc. revealed by the vulnerable witness which enables identification of the person of the vulnerable witness, shall be kept in a sealed cover on the record and shall not be made available for inspection to any party or person. Certified copies thereof shall also not be issued. The reference to the vulnerable witness shall be only by the pseudonym assigned in the case.

- (ii) Judges and court administrators should ensure that the developmental needs of vulnerable witnesses are recognized and accommodated in the arrangement of the courtroom.

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¹ Section 34(5) of the Jammu & Kashmir Protection of Children from Sexual Violence Act, 2018(Governor's Act No. XXXVI of 2018)

- (iv) Judges should ensure that the developmental stages and needs of vulnerable witnesses are identified, recognized and addressed throughout the court process by requiring usage of appropriate language, by timing hearings and testimony to meet the attention span and physical needs of such vulnerable witnesses by allowing the use of testimonial aids as well as interpreters, translators, when necessary.
- (v) Judges should be flexible in allowing the vulnerable witnesses to have a support person present while testifying and should guard against unnecessary sequestration of support persons.
- (vi) Hearings involving a vulnerable witness may be scheduled on days/time when the witness is not inconvenienced or is not disruptive to routine/ regular schedule of vulnerable witness.

29. *Allowing proceedings to be conducted in camera* (i) When a vulnerable witness testifies, the court may order the exclusion from the courtroom of all persons, who do not have a direct interest in the case including members of the press. Such an order may be made to protect the right to privacy of the vulnerable witness or if the court determines on the record that requiring the vulnerable witness to testify in open court would cause psychological harm to him, hinder the ascertainment of truth, or result in his inability to effectively communicate due to embarrassment, fear, or timidity.

- (ii) In making its order, the court shall consider the developmental level of the vulnerable witness, the nature of the crime, the nature of his testimony regarding the crime, his relationship to the accused and to persons attending the trial, his desires, and the interests of his parents or legal guardian.
- (iii) The court may, *motu proprio*, exclude the public from the courtroom if the evidence to be produced during trial is of such character as to be distressing, personal, offensive to decency or public morals.¹

30. *Live-link television testimony where the vulnerable witness is involved.* (a) Any party in the case, a prosecutor, counsel or the guardian *ad litem* may apply for an order that the testimony of the vulnerable witness be taken in a room outside the courtroom and be televised to the courtroom by live-link television.²

¹ Section 38 of the Jammu & Kashmir Protection of Children from Sexual Violence Act, 2018(Governor's Act No. XXXVI of 2018)

² Section 37(2) of the Jammu & Kashmir Protection of Children from Sexual Violence Act, 2018(Governor's Act No. XXXVI of 2018)

32. *Factors to be considered while considering the application under Guide lines in 30 & 31.* The court may order that the testimony of the vulnerable witness be taken by live-link television if there is a substantial likelihood that the vulnerable witness would not provide a full and candid account of the evidence if required to testify in the presence of the accused/opposite party, his counsel or the prosecutor as the case may be.

- (i) the age and level of development of the vulnerable witness ;
- (ii) his physical and mental health, including any mental or physical disability ;
- (iii) any physical, emotional, or psychological harm related to the case on hand or trauma experienced by the vulnerable witness ;

¹ Secnon 37 of the Jammu & Kashmir Protection of Children from Sexual Violence Act, 2018(Governor's Act No. XXXVI of 2018)

33. *Mode of questioning.* To facilitate the ascertainment of the truth the court shall exercise control over the questioning of vulnerable witness.

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² Section 34(2) of the Jammu & Kashmir Protection of Children from Sexual Violence Act, 2018(Governor's Act No. XXXVI of 2018)

35. *Objections to questions.* Objections to questions should be couched in a manner so as not to mislead, confuse, frighten a vulnerable witness.

Explanation : (i) The reaction of vulnerable witness shall be treated as sufficient clue that the question was not clear so it shall be rephrased and put to the witness in a different way.

(ii) Given the witness developmental level, excessively long questions shall be required to be rephrased and thereafter put to witness.

(iii) Questions framed as compound or complex sentence structure; or two part questions or those containing double negatives shall be rephrased and thereafter put to witness.

38. *Protection of privacy and safety.* (a) Confidentiality of records.-Any record regarding a vulnerable witness shall be confidential and kept under seal. Except upon written request and order of the court, the record shall only be made available to the following : (b)

- (i) Members of the court staff for administrative use ;

such protective order is subject to the contempt power of the court and other penalties prescribed by law ;

- (v) No recording shall be given, loaned, sold, or shown to any person except as ordered by the court ;
- (vi) This protective order shall remain in full force and effect until further order of the court.

(c) Personal details during evidence likely to cause threat to physical safety of vulnerable witness to be excluded. A vulnerable witness has a right at any court proceeding not to testify regarding personal identifying information, including his name, address, telephone number, school, and other information that could endanger his physical safety or his family. The court shall ensure the protection of this right of the witness. The court may, however, require the vulnerable witness to testify regarding personal identifying information in the interest of justice.¹

(d) Destruction of video and audio recordingô Any video or audio recording of a vulnerable witness produced under the provisions of these guidelines or otherwise made part of the court record shall be destroyed as per rules formed by the Jammu and Kashmir High Court.

39. *Protective measures.*ô At any stage in the justice process where the safety of a vulnerable witness is deemed to be at risk, the court shall arrange to have protective measures put in place for the vulnerable witness. Those measures may include the following :

- (a) avoiding direct or indirect contact between a vulnerable witness and the accused/opposite party at any point in the justice process ;

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¹ Section 34(7) of the Jammu & Kashmir Protection of Children from Sexual Violence Act, 2018(Governor's Act No. XXXVI of 2018)



Separate paging is given to this part in order that it may be filed as a
separate compilation

PART I—B

Jammu and Kashmir Government—Notifications.

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GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIAT& REVENUE DEPARTMENT.

Notification No. 39 Rev (LAJ) of 2019

Dated 19-03-2019.

Whereas, the land specifications whereof are given below is required for public purpose viz. for construction of road from Basohli to Bani in Village Dharore, Tehsil Bani, District Kathua by GREF ;

Specifications of land

District	Tehsil	Village	Kh. Nos.	Area
1	2	3	4	5
ô ô ô ô ô	ô ô ô ô ô	ô ô ô ô ô	ô ô ô ô ô	ô ô ô ô ô
				K. M.
Kathua	Bani	Dharore	120	06614
			121	02605

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that land measuring 26 Kanals and 05 Marlas situated in Village Dharore, Tehsil Bani, District Kathua, particulars whereof are given above is required for public purpose viz. for construction of road from Basohli to Bani in Village Dharore, Tehsil Bani, District Kathua by GREF. Further, the Collector, Land Acquisition (ACR), Kathua is directed under section 7 of the said Act to take order for acquisition of the said land after giving prescribed notice to the interested person(s) as required under the Land Acquisition Act/Rules.

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of land involved in the case and apportionment of compensation amongst all the interested persons/rightful claimants in accordance with the relevant laws/rules in force, while making the award.

(Sd.) SHAHID ANAYATULLAH, IAS,
Commissioner/Secretary to Government,
Revenue Department.

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JAMMU AND KASHMIR PUBLIC SERVICE COMMISSION
SOLINA, SRINAGAR-190001.

Subject : Jammu and Kashmir Civil Service (Judicial) [Mains] Examination,
2018-Declaration of result thereof.

Reference :ô Decision of the Commission in its 20th Extraordinary Meeting dated 20-06-2019.

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Notification No. PSC/Exam/44/2019

Dated 20-06-2019.

In pursuance of Jammu and Kashmir Civil Service (Judicial) Recruitment Rules, 1967 read with SRO No. 5 dated 04-01-1968, SRO-254 of 2017 dated 20-06-2017, J&K Public Service Commission (Conduct of Examination) Rules, 2005 amended up-to-date and on the basis of the results of the Written Examination, held by the J&K Public Service Commission from 23-03-2019 to 04-04-2019, the candidates with Roll Numbers as per Annexure-A to this notification have qualified for Personality Test/ Viva-voce for selection against the posts of Civil Judge (Junior Division)/ Munsiffs.

Candidature of these candidates is provisional subject to their being found eligible in all respects. The candidates will be required to produce the original certificates in support of their claims pertaining to age, education/professional qualifications, category etc. at the time of their Personality Test/Viva-voce. They are, therefore, advised to keep the said documents ready with them.

No request for change in the date and time of the Personality Test/Viva-voce intimated to the candidates will be entertained.

No request for any type of change/modification of information already supplied in DAF would be entertained by the Commission.

This is subject to the outcome of writ petition(s), if any, pending disposal before Court(s) of Law.

Controller of Examinations,
J&K Public Service Commission.

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Annexure-'A'

S. No.	Roll No.	S. No.	Roll No.	S. No.	Roll No.	S. No.	Roll No.	S. No.	Roll No.
1.	9000034	34.	9000762	67.	9001435	100.	9001901	133.	9002454
2.	9000051	35.	9000794	68.	9001449	101.	9001914	134.	9002462
3.	9000052	36.	9000801	69.	9001517	102.	9001923	135.	9002493
4.	9000093	37.	9000859	70.	9001518	103.	9001948	136.	9002496
5.	9000133	38.	9000873	71.	9001520	104.	9001959	137.	9002503
6.	9000193	39.	9000883	72.	9001524	105.	9002032	138.	9002506
7.	9000198	40.	9000969	73.	9001536	106.	9002040	139.	9002507
8.	9000207	41.	9000983	74.	9001547	107.	9002044	140.	9002540
9.	9000215	42.	9000989	75.	9001559	108.	9002047	141.	9002549
10.	9000219	43.	9000990	76.	9001569	109.	9002059	142.	9002558
11.	9000225	44.	9000998	77.	9001590	110.	9002060	143.	9002582
12.	9000293	45.	9001008	78.	9001688	111.	9002064	144.	9002591
13.	9000299	46.	9001036	79.	9001690	112.	9002067	145.	9002603
14.	9000316	47.	9001135	80.	9001696	113.	9002074	146.	9002612
15.	9000321	48.	9001144	81.	9001719	114.	9002087	147.	9002664
16.	9000353	49.	9001146	82.	9001723	115.	9002101	148.	9002701
17.	9000376	50.	9001191	83.	9001741	116.	9002125	149.	9002704
18.	9000388	51.	9001204	84.	9001751	117.	9002165	150.	9002715
19.	9000405	52.	9001223	85.	9001754	118.	9002195	151.	9002731
20.	9000460	53.	9001241	86.	9001758	119.	9002196	152.	9002741
21.	9000503	54.	9001245	87.	9001764	120.	9002220	153.	9002768
22.	9000593	55.	9001293	88.	9001767	121.	9002239	154.	9002777
23.	9000595	56.	9001309	89.	9001770	122.	9002272	155.	9002819
24.	9000597	57.	9001310	90.	9001773	123.	9002296	156.	9002832
25.	9000615	58.	9001330	91.	9001824	124.	9002321	157.	9002852
26.	9000617	59.	9001358	92.	9001830	125.	9002330	158.	9002855
27.	9000633	60.	9001360	93.	9001847	126.	9002360	159.	9002870
28.	9000647	61.	9001376	94.	9001874	127.	9002379	160.	9002872
29.	9000692	62.	9001397	95.	9001875	128.	9002385	161.	9002883
30.	9000719	63.	9001399	96.	9001876	129.	9002391	162.	9002981
31.	9000728	64.	9001403	97.	9001889	130.	9002392		
32.	9000737	65.	9001421	98.	9001893	131.	9002420		
33.	9000741	66.	9001425	99.	9001896	132.	9002423		

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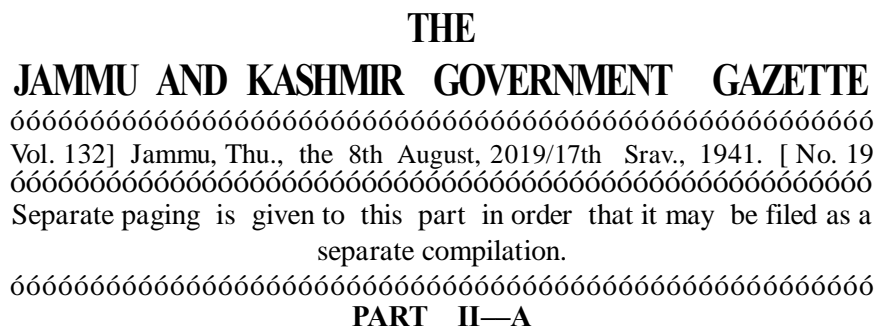
GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIAT& FINANCE DEPARTMENT
(BUDGET DIVISION).

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The following words shall be added at the end of Para '8' of Government Order No. 5-FD of 2019 dated 02-01-2019 issued under endorsement No. FD-VII-5(42)LA/STD/2017 dated 02-01-2019 :ô

By order of the Government of Jammu and Kashmir.

Principal Secretary to Government,
Finance Department.



CHARGE REPORTS

(Sd.) DR. MOHAMMAD RAZA,
Joint Director (Farms),
Sheep Husbandry Department,
Jammu.

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In pursuance of Government Order No. 37-FST of 2018 dated
07-02-2018, issued under endorsement No. FST/Ser/16/2018 dated
07-02-2018, we the undersigned respectively hand over and take over the
charge of Addl. Principal Chief Conservator of Forests, Central and Chief
Conservator of Forests, PCA today the 8th February, 2018 afternoon.

(Sd.) DR. MOHIT GERA, IFS.

Relieved Officer.

(Sd.) ABDUL GANI, IFS.

Relieving Officer.



THE
JAMMU & KASHMIR GOVERNMENT GAZETTE

Vol. 132] Jammu, Thu., the 8th August, 2019/17th Srav., 1941. [No.19

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PART II—B

Notifications, Notices and Orders by the Heads of Departments.

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GOVERNMENT OF JAMMU AND KASHMIR,
OFFICE OF THE COLLECTOR, LAND ACQUISITION,
ASSISTANT COMMISSIONER, REVENUE, SAMBA.

Subject :ô Notification under sections 9 & 9-A of Land Acquisition
Act , 1990 Svt. as amended up-to-date, for acquisition of land
for establishment of Border Fencing by the BSF in
Village Suchetgarh, Tehsil and District Samba.

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Whereas, the below mentioned land is required for defence purpose
for construction of 135 Feet Composite Bundh in Village Suchetgarh,
Tehsil and District Samba, stands declared under sections 6 and 7 of the
Land Acquisition Act, Svt. 1990 by the Commissioner/Secretary to
Government, Revenue Department, J&K, Civil Secretariat, Jammu vide

Notification No. 05-Rev(LAJ) of 2019 dated 23-01-2019 issued under endorsement No. Rev/LAJ/431/2018 dated 23-01-2019.

Specification of the Land

S.No.	Name of Village	Name of District	Name of Tehsil	Khasra No.	Area
1	2	3	4	5	6
					K. M.
1.	Suchetgarh	Samba	Samba	24	00616
				34	05611
				34	01608
				34	01616
				34	01602
				34	01600
				36	02604
				37	00604
				56	00618
				57	02605
				58	02610
				65	05614
				69	00604
				70	07614
				72	05617
				73	04614
				74	00605
				78	00609
				79	00611
				91	03618
				92	03613

1	2	3	4	5	6
ô ô					
					K. M.
				93	01617
				94	04616
				95	01602
				96	01619
				107	00602
				108	02600
				127	05605
				128	00607
				129	00607
				136	00608
				137	04606
				140	00607
				141	00615
				142	04607
				143	02607
				144	03605
				146	01600
				151	00618
				163	02602
				164	00612
				520/171	01617.5
				225	09617
				298	14600
				300	00612
				301	08610

1	2	3	4	5	6
ô ô					
					K. M.
				302	00609
				310	02612
				311	02619
				314	00606
				317	00609
				318	00608
				319	00606
				367	00613
				368	15602
				369	02617
				370	02600
				371	03600
				376	00616
				377	01603
				379	04615
				380	00616
				383	06600
				381	01604
				471	00612
					ô ô ô ô ô ô ô ô
				Total	171618.5
					ô ô ô ô ô ô ô ô

Accordingly, all the interested persons/owners of aforesaid land are hereby called upon to attend personally or by an authorized agent to

file the objection regarding their respective interests with regard to acquisition and measurement of land, in this office within 15 days from the date of issuance of this notification.

(Sd.) KULBHUSHAN KHAJURIA, KAS,

Collector, Land Acquisition,
Assistant Commissioner (Revenue),
Samba.

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Notice

I, Abimanyu (old name) S/o Sh. Chuni Lal R/o E/P 672, Gali Patoyan, Rajinder Bazar, Jammu has changed my name from Abimanyu (old name) to Abhimanyu Loach (New name). I, do hereby assume from this date the name/surname Abhimanyu Loach (new name).

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IN THE COURT OF JUDICIAL MAGISTRATE

IST CLASS/MUNSIFF, REASI.

Notice to General Public

In the Matter of :ô Complaint u/s 523 Cr. P.C for disposal of seized vehicle/ vehicles/articles mentioned hereunder seized u/s 550 Cr. P.C. i. e. as un-claimed property.

1. Motorcycle Pulsar bearing Registration No. JK02W-1307 Chassis No. DHVBLCO4018, Engine No. DJGBKC37702

Proclamation

Whereas above referred vehicle seized u/s 550 Cr. P.C. by police of Police Post, Talwara and till date no one has come forward to claim the seized vehicle. Hence through the medium of this proclamation, public at

208 The J&K Govt. Gazette, 8th Aug., 2019/17th Srav., 1941. [No. 19

large is hereby informed to stake claim over the above said vehicle and establish his/her ownership within six months period from the date of issuance of this proclamation failing which property shall be disposed of in accordance with law.

Issued under my hand and signature today the day of 11th July, 2019.

(Sd.)

Munsiff,
Judicial Magistrate, Ist Class,
Reasi.

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Separate paging is given to this part in order that it may be filed as a separate compilation.

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Extension Notice

1. Last date for receiving of bids 31-07-2019 up to 1600 hours.
2. Date for online opening of technical bids 02-08-2019 at 1100 hours.

Other contents of the tender shall remain unchanged.

(Sd.)

Officer Incharge,
Forensic Science Laboratory,
J&K, Srinagar.



رجسٹرڈ نمبر جے کے۔ 33

جموں و کشمیر گورنمنٹ گزٹ

جلد نمبر 132۔ جموں۔ مورخہ 8 اگست 2019ء بمطابق 17 سوانا 1941 ویروار نمبر 19

اشتہارات

از عدالت سب جج سپیشل موبائل مجسٹریٹ (تحت 13 ویں ایف سی) کٹھوعہ

سرکار بنام محمد ابنتر

علت نمبر 36 سال 2014ء، تھانہ پولیس کٹھوعہ

بجرائم زیر دفعہ : 188 RPC

وارنٹ گشتی زیر دفعہ 512 ضابطہ فوجداری

بخلاف ملزم الصدر

حکم بنام اہلکاران پولیس ریاست جموں و کشمیر

معاملہ مندرجہ عنوان اُلصدر میں ملزم کو بارہا بذریعہ وارنٹ گرفتاری بلا ضمانتی طلب کیا گیا ہے، الا ملزم کی دستیابی نہ ہوئی ہے اور وارنٹ ہذا پر تعمیل آئی ہے کہ ملزم محمد ابترو ولد آلف دین ساکنہ مانی کوٹ تحصیل ریاست ضلع ریاستی گھر سے فرار ہے اور روپوش ہو گیا ہے جس سے ملزم کی دستیابی بطریق آسانی مشکل ہے۔

لہذا ملزم کے خلاف کارروائی زیر دفعہ 512 ض ف بعمل لائی جا کر اہلکاران پولیس ریاست جموں و کشمیر کو حکم و اختیار دیا جاتا ہے کہ ملزم متذکرہ بالا جہاں کہیں بھی اندر حدود ریاست دستیاب ہو تو اُسے فوراً گرفتار کر کے عدالت ہذا میں پیش کریں۔

سرکار بنام محمد لطف

پرچہ علت نمبر 208 سال 2008ء، تھانہ پولیس کٹھوعہ

بجرائم زیر دفعہ 379 RPC

وارنٹ گشتی عام زیر دفعہ 512 ضابطہ فوجداری

بخلاف ملزم اُلصدر

حکم بنام اہلکاران پولیس ریاست جموں و کشمیر

معاملہ مندرجہ عنوان اُلصدر میں ملزم کو بارہا بذریعہ وارنٹ گرفتاری بلا ضمانتی طلب کیا گیا ہے، الا ملزم کی دستیابی نہ ہوئی ہے اور وارنٹ ہذا پر

تعمیل آئی ہے کہ ملزم محمد لطف ولد سلطان ساکنہ مگھر کھڈ کٹھوعہ تحصیل و ضلع کٹھوعہ گھر سے فرار ہے اور روپوش ہو گیا ہے جس سے ملزم کی دستیابی بطریق آسانی مشکل ہے۔

لہذا ملزم کے خلاف کارروائی زیر دفعہ 512 ض ف بعمل لائی جا کر اہلکاران پولیس ریاست جموں و کشمیر کو حکم و اختیار دیا جاتا ہے کہ ملزم متذکرہ بالا جہاں کہیں بھی اندر حد و ریاست دستیاب ہو تو اسے فوراً گرفتار کر کے عدالت ہذا میں پیش کریں۔

سرکار بنام محمد یوسف

علت نمبر 317 سال 2016ء، تھانہ پولیس کٹھوعہ

بجرائم زیر دفعہ : RPC 379

وارنٹ گشتی زیر دفعہ 512 ضابطہ فوجداری

بخلاف ملزم الصدر

حکم بنام اہلکاران پولیس ریاست جموں و کشمیر

معاملہ مندرجہ عنوان الصدر میں ملزم کو بارہا بذریعہ وارنٹ گرفتاری بلا ضمانتی طلب کیا گیا ہے، الا ملزم کی دستیابی نہ ہوئی ہے اور وارنٹ ہذا پر تعمیل آئی ہے کہ ملزم محمد یوسف ولد مہربکش ساکنہ Bhamzadam تحصیل مہرمن ضلع کٹھوعہ گھر سے فرار ہے اور روپوش ہو گیا ہے جس سے ملزم کی دستیابی

بطریق آسانی مشکل ہے۔

لہذا ملزم کے خلاف کارروائی زیر دفعہ 512 ض ف بعمل لائی جا کر
اہلکاران پولیس ریاست جموں و کشمیر کو حکم و اختیار دیا جاتا ہے کہ ملزم متذکرہ بالا
جہاں کہیں بھی اندر حدود ریاست دستیاب ہو تو اُسے فوراً گرفتار کر کے عدالت ہذا
میں پیش کریں۔

دستخط : سب جج سپیشل موبائل مجسٹریٹ
(تحت 13 ویں ایف سی) کٹھومہ۔

No. 8-aal] The J&K Govt. Gazette, 27th May, 2019/6th Jyai., 1941. Mon.
EXTRAORDINARY REGD. NO. JK 33

PART I-B

Jammu and Kashmir Government—Notifications.

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GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT HOUSING AND URBAN
DEVELOPMENT DEPARTMENT

Notification

Srinagar, the 27th May, 2019.

SRO-382. In exercise of the powers conferred by sub-section (2) of section 27 of the Jammu and Kashmir Municipal Act, 2000, the Government hereby notify the name of Shri Feroz Ahmad Pandith S/o Shri Ali Mohammad Pandith R/o Najar Mohalla, Member, Ward No. 06 of Municipal Committee, Langate to have been declared as elected Vice-President of the Municipal Committee, Langate, w. e. f. 19-11-2018.

By order of the Government of Jammu and Kashmir.

(Sd.) DHEERAJ GUPTA,

Principal Secretary to Government,
Housing and Urban Development Department.

No. 8-aam] The J&K Govt. Gazette, 27th May, 2019/6th Jyai., 1941. Mon.
EXTRAORDINARY REGD. NO. JK 33

PART I-B

Jammu and Kashmir Government—Notifications.

ô ô ô ó

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT HOUSING AND URBAN
DEVELOPMENT DEPARTMENT

Notification

Srinagar, the 27th May, 2019.

SRO-383. In exercise of the powers conferred by sub-section (2) of section 27 of the Jammu and Kashmir Municipal Act, 2000, the Government hereby notify the name of Shri Babloo Goswami S/o Shri Soomnath Goswami R/o Bongam, Kulgam, Member, Ward No. 13 of Municipal Committee, Kulgam to have been declared as elected Vice-President of the Municipal Committee, Kulgam, w. e. f. 30-10-2018.

By order of the Government of Jammu and Kashmir.

(Sd.) DHEERAJ GUPTA,

Principal Secretary to Government,
Housing and Urban Development Department.

No. 8-aan] The J&K Govt. Gazette, 27th May, 2019/6th Jyai., 1941. Mon.
EXTRAORDINARY REGD. NO. JK 33

PART I-B

Jammu and Kashmir Government—Notifications.

ô ô ô ó

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT HOUSING AND URBAN
DEVELOPMENT DEPARTMENT

Notification

Srinagar, the 27th May, 2019.

SRO-384. In exercise of the powers conferred by sub-section (2) of section 27 of the Jammu and Kashmir Municipal Act, 2000, the Government hereby notify the name of Shri Gh. Rasool Sheikh S/o Haji Ab. Ahad Sheikh R/o Main Kunzer, Member, Ward No. 02 of Municipal Committee, Kunzer to have been declared as elected Vice-President of the Municipal Committee, Kunzer, w. e. f. 05-11-2018.

By order of the Government of Jammu and Kashmir.

(Sd.) DHEERAJ GUPTA,

Principal Secretary to Government,
Housing and Urban Development Department.

EXTRAORDINARY

REGD. NO. JKô 33



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 132] Jammu, Mon., the 27th May, 2019/6th Jyai., 1941. [No. 8-aa0

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART III

Laws, Regulations and Rules passed thereunder.

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GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIATô GENERAL ADMINISTRATION
DEPARTMENT
(Services)

Notification

Srinagar, the 27th May, 2019.

SRO-385.66In exercise of the powers conferred by proviso to
section 124 of the Constitution of Jammu and Kashmir, the Governor

2 The J&K Govt. Gazette, 27th May, 2019/6th Jyai., 1941. [No. 8-aao
hereby directs that the following amendments shall be made in the
Jammu and Kashmir Administrative Service Rules, 2008, namely :

A. In Schedule-I,

(a) After entry 87, the following entries shall be added :

87 (a) Deputy Commissioner, State Taxes, 01
Enforcement (South), Kashmir

87 (b) Deputy Commissioner, State Taxes, 01
Enforcement (North), Kashmir

87 (c) Deputy Commissioner, State Taxes, 01
Enforcement (Samba), Jammu

87 (d) Deputy Commissioner, State Taxes, 01
Enforcement (North), Jammu

(b) In column 3 against entry at S. No. 89 regarding Additional
Deputy Commissioners, the figure 22 shall be substituted
by 23.

(c) In column 3 against entry at S. No. 128 regarding Deputy
Secretaries to the Government, the figure 45 shall be
substituted by 95.

(d) In column 3 against entry at S. No. 132 regarding
Sub-Divisional Magistrates, the figure 64 shall be substituted
by 65.

(e) After entry 179, the following entries shall be
substituted :

(A) Total number of senior cadre posts 608
(1-183 above)

(B) Deputation reserve @ 25% of (A) 152
above

No. 8-aaol The J&K Govt. Gazette, 27th May, 2019/6th Jyai., 1941. 3
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(C) Training reserve @ 10% of (A) above	61
(D) Leave reserve at 10% of (A) above	61
(E) Total (A to D)	882
	ôôôô
Total Cadre Strength	882
	ôôôô

B. In Schedule-V,ô

(a) After entry 21, the following entries shall be added :ô

- 21 (a) Deputy Commissioner, State Taxes, 01
Enforcement (South), Kashmir
- 21 (b) Deputy Commissioner, State Taxes, 01
Enforcement (North), Kashmir
- 21 (c) Deputy Commissioner, State Taxes, 01
Enforcement (Samba), Jammu
- 21 (d) Deputy Commissioner, State Taxes, 01
Enforcement (North), Jammu

- (b) In column 3 against entry at S. No. 23 regarding Additional Deputy Commissioners, the figure 22 shall be substituted by 23.
- (c) In column 3 below entry at S. No. 61 regarding total number of posts, the figure 155 shall be substituted by 160.

C. In Schedule-VI,ô

- (a) In column 3 against entry at S. No. 1 regarding Deputy Secretaries to the Government, the figure 45 shall be substituted by 95.
- (b) In column 3 against entry at S. No. 5 regarding Sub-Divisional Magistrates, the figure 64 shall be substituted by 65.

4 The J&K Govt. Gazette, 27th May, 2019/6th Jyai., 1941. [No. 8-aa
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(c) In column 3 below entry at S. No. 52 regarding total
number of posts, the figure 277 shall be substituted
by 328.

By order of the Governor.

(Sd.) FAROOQ AHMAD LONE, IAS,

Secretary to the Government,
General Administration Department.

EXTRAORDINARY

REGD. NO. JKô 33



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 132] Jammu, Thu., the 30th May, 2019/9th Jyai., 1941. [No. 9-a

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART I—B

Jammu and Kashmir Government—Notifications.

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GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIATôôDEPARTMENT OF CULTURE

Notification

Srinagar, the 30th May, 2019.

SRO-386.ôôIn exercise of the powers conferred by sub-section (1) of section 3 of the Jammu and Kashmir Ancient Monuments Preservation Act, Samvat 1977 (1920-AD) (Act No. V of 1977), the Government on the recommendations of the Director,

2 The J&K Govt. Gazette, 30th May, 2019/9th Jyai., 1941. [No. 9-a
 Archives, Archaeology and Museums, Jammu and Kashmir, intends to
 declare following three sites of Zanskar, Kargil under Khasra Number
 along with land measuring as indicated against each as State Protected
 Monuments within the meaning of the said Act :

Name of the Village	Khasra No.	Name of the owner	Total land K. M.	Status of land
Pipcha	349	Bardan Gonpa in the name of Lama Tashi Samphel	07608	Gair Mumkin Gonpa
Sani	258/ 259	Sani Khanikhar through Lama Tashi Kushok	02613/ 08612	Gair Mumkin Gonpa
Stongday	557	Stongday Gonpa through Kushok Nari Tsewang	48614	Gair Mumkin Gonpa

Further, in pursuance of sub-section (2) of the aforesaid section 3, objections are invited from the general public to the aforesaid proposal, which shall reach to Secretary to the Government, Department of Culture, within a period of two months from the date of issuance/ publication of this notification in the newspaper or fixation of this notification at a conspicuous place on the Monument.

By order of the Government of Jammu and Kashmir.

(Sd.) ZUBAIR AHMAD, KAS,

Secretary to the Government,
 Department of Culture.

EXTRAORDINARY

REGD. NO. JKô 33



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 132] Jammu, Thu., the 30th May, 2019/9th Jyai., 1941. [No. 9-b

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separate compilation.

PART I-B

Jammu and Kashmir Government—Notifications.

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GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT66DEPARTMENT OF LAW, JUSTICE AND
PARLIAMENTARY AFFAIRS

Notification

Srinagar, the 30th May, 2019.

SRO-387.66In exercise of the powers conferred by sub-section (1)
of section 12 of the Code of Criminal Procedure, Samvat 1989, the
Government hereby appoint the following officers to be the Executive
Magistrate of the First Class who shall exercise all the powers of an

2 The J&K Govt. Gazette, 30th May, 2019/9th Jyai., 1941. [No. 9-b
Executive Magistrate of the First Class within their respective territorial
jurisdiction of District Rajouri :ô

S. No.	Name of the Officer	Designation
	S/Shri	
1.	Anjum Bashir Khan Khatak, Jr. KAS	Tehsildar, Thana Mandi
2.	Dhruv Gupta, Jr. KAS	Tehsildar, Siot
3.	Syed Sahil Ali, Jr. KAS	Tehsildar, Khawas
4.	Ravinder Kumar Anand	Tehsildar, Koteranka
5.	Jatinder Singh	I/c Tehsildar, Sunderbani
6.	Munshi Ram	I/c Tehsildar, Taryath
7.	Anil Charak	I/c Tehsildar, Darjal
8.	Babu Ram	L/A Tehsildar, Nowshera
9.	Mohd Sageer	L/A Tehsildar, Manjakote

By order of the Government of Jammu and Kashmir.

(Sd.) ACHAL SETHI,

Secretary to Government,
Department of Law, Justice and Parliamentary Affairs.

EXTRAORDINARY

REGD. NO. JKô 33



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 132] Jammu, Thu., the 30th May, 2019/9th Jyai., 1941. [No. 9-c

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART I—B

Jammu and Kashmir Government—Notifications.

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GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIATôôHOME DEPARTMENT

Notification

Srinagar, the 30th May, 2019.

SRO-388.ôôWhereas, on 24-04-2015, Police Station, Hajin received an information through reliable sources to the effect that after offering Friday prayers some Hurriyat Conference affiliated persons namely 1. Assadullah Parray 2. Showkat Ahmad Hajam @ Hakeem 3. Mehraj-ud-Din Gojree 4. Ab. Majeed Lone 5. Masroor Ahmad Rather 6. Ali Mohammad Dar @ Master and 7. Ab. Hamid Parray @ Gadai have assembled at Bus Stand, Hajin in protest against the detention under PSA of Massarat Alam, Chairman, Muslim League and provoking the general public against sovereignty, and integrity of Nation by raising

No. 9-c] The J&K Govt. Gazette, 30th May, 2019/9th Jyai., 1941. 3
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 come to a definite conclusion that this is a fit case for accord of
 prosecution sanction against the said accused persons ; and

5. Whereas, after perusing the Case Diary, the relevant documents and also taking into consideration the observations/views of the Authority appointed under sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, the State Government is of the view that there is sufficient material and evidence available against the accused persons for their prosecution under the aforesaid provision of law.

6. Now, therefore, in exercise of powers conferred by sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, the State Government hereby accords sanction for launching prosecution against the accused persons namely 1. Assadullah Parray S/o Ab. Gani Parray R/o Syed Mohalla, Hajin 2. Showkat Ahmad Hajam @ Hakeem S/o Gh. Mohammad Hajam R/o Paribal, Hajin 3. Mehraj-ud-Din Gojree S/o Gh. Qadir Gojree R/o Hajin 4. Ab. Majeed Lone S/o Mohammad Maqbool Lone R/o Vijpara 5. Masroor Ahmad Rather S/o Gh. Mohammad Rather R/o Safapora 6. Ali Mohammad Dar @ Master S/o Mohammad Maqbool Dar R/o Danger Mohalla, Hajin and 7. Ab. Hamid Parray @ Gadai S/o Gh. Nabi Parray R/o Syed Mohalla, Hajin for commission of offence punishable u/s 13 UAP Act, 1967 arising out of FIR No. 22/2015 of Police Station, Hajin.

By order of the Government of Jammu & Kashmir.

(Sd.)

Principal Secretary to the Government,
Home Department.

EXTRAORDINARY

REGD. NO. JKô 33



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 132] Jammu, Thu., the 30th May., 2019/9th Jyai., 1941. [No. 9-d

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART I—B

Jammu and Kashmir Government—Notifications.

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GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIATôôHOME DEPARTMENT

Notification

Srinagar, the 30th May, 2019.

SRO-389.ôôWhereas, on 07-06-2018, Police Station, Kulgam reliably came to know that one self styled commander of LeT namely Shakoor Ahmad Dar @ Abu Bakar is active in the jurisdiction of P/S Kulgam who is planning to snatch the weapons from Security Forces/Police. The said commander has organised a group of members namely: 1. Sheeraz Ahmad Shargojri S/o Mohd Shaban 2. Adil Nazir Wagay S/o Nazir Ahmad Wagay 3. Zahid Ahmad Shargojri S/o Ab. Satar R/o Chamgund, Kulgam headed by Ajaz Ahmad Bhat S/o Hafizullah Bhat R/o Chennigam. The said group has been assigned with

2 The J&K Govt. Gazette, 30th May, 2019/9th Jyai., 1941. [No. 9-d
a task to make discreet identification of the guard posts/nakaø in order
to snatch the weapon easily from Security Force/Police etc. ; and

2. Whereas, a case FIR No. 98/2018 U/Ss 13(2), 18, 39 UAP Act, 1967 at Police Station, Kulgam was registered and investigation was set into motion ; and

3. Whereas, during the course of investigation and as per the evidences collected, it has been found that the accused persons namely 01. Ajaz Ahmad Bhat S/o Hafizullah Bhat R/o Chennigam Frisal 02. Sheeraz Ahmad Shargojri S/o Mohd Shaban Shargojri R/o Chambgund, Pahloo 03. Adil Nazir Wagay S/o Nazir Ahmad Wagay R/o Chambgund, Pahloo 04. Zahid Ahmad Shargojri S/o Ab. Satar R/o Chamgund Phaloo 05. Shakoor Ahmad Dar @ Abu Bakar S/o Mohammad Munawar R/o Sopat have been found involved for the commision of offences U/Ss 13(2), 18, 39 UAPA ; and

4. Whereas, on the basis of the material collected during the course of investigation and the statement of witnesses recorded by the investigating agency *prima facie* established a case punishable U/Ss 13, 18, 39 UAPA Act against five accused persons namely 01. Ajaz Ahmad Bhat S/o Hafizullah Bhat R/o Chenigam Frisal 02. Sheeraz Ahmad Shargojri S/o Mohd Shaban Shergojri R/o Chambgund Pahloo 03. Adil Nazir Wagay S/o Nazir Ahmad Wagay R/o Chambgund, Pahloo 04. Zahid Ahmad Shargojri S/o Ab. Satar R/o Chamgund, Phaloo 05. Shakoor Ahmad Dar @ Abu Bakar S/o Mohammad Munawar R/o Sopat and investigation of case has been concluded as proved. It is further submitted that accused No. 05 Shakoor Ahmad Dar @ Abu Bakar S/o Mohammad Munawar R/o Sopat has been killed in an encounter at Chidder, Kulgam on 24-06-2018 as per copy of FIR placed on record ; and

5. Whereas, the authority appointed by the State Government under sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, has independently scrutinized the Case Diary file and all the other relevant documents relating to the case and has come to a definite conclusion that this is a fit case for accord of prosecution sanction against the said accused persons ; and

6. Whereas, after perusing the Case Diary, the relevant documents and also taking into consideration the observations/views of the Authority appointed under sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, the State Government is of the view that there is sufficient material and evidence available against the accused persons for their prosecution under the aforesaid provisions of law.

By order of the Government of Jammu & Kashmir.

Principal Secretary to the Government,
Home Department.

EXTRAORDINARY

REGD. NO. JKô 33



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 132] Jammu, Thu., the 30th May, 2019/9th Jyai., 1941. [No. 9-e

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART I—B

Jammu and Kashmir Government—Notifications.

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GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIATôôHOME DEPARTMENT

Notification

Srinagar, the 30th May, 2019.

SRO-390.ôôWhereas, on 10-07-2015 a Police Party of SOG, Jammu headed by PSI Ajay Kumar was conducting patrolling duty in the area of Bus Stand, Jammu and while conducting Patrolling at about 22 : 25 hours, when the Police Party reached at K. C Chowk, BC Road, Jammu they found two unknown persons carrying a bag each, who on seeing the Police Party tried to escape from there. The Police Party tactfully apprehended them who disclosed their names as Abdul Rashid S/o Mohammad Shaban R/o Satkipura, Tehsil Bijbehara, District Anantnag and Abdul Gani Sheikh S/o Ghulam Qadir R/o Gundow, Tehsil

2 The J&K Govt. Gazette, 30th May, 2019/9th Jyai., 1941. [No. 9-e
Gundoh, District Doda and on conducting their personal search, a black
coloured bag on which "AIR PASSAGE" was written in English
containing 250 Indian Currency Notes of 1000/1000 denomination was
recovered from the possession of Abdul Rashid and a white coloured
bag on which "WEST LOOK" was written in English containing 100
Indian Currency Notes of 500/500 denomination was recovered from
the possession of Abdul Gani. On being asked they disclosed that all
the said Indian Currency Notes i. e. of Rs. 1000/- and Rs. 500/ are
fake and they have bought it from Kolkata (W. B.) ; and

2. Whereas, a case FIR No. 29/2015 U/S 489-B/489-C/RPC was
registered in Police Station, Bus Stand, Jammu and investigation taken
up ; and

3. Whereas, during the course of investigation, site plan was
prepared, and statements of witnesses were recorded under
sections 161, 164-A and placed on file. During further investigation, the
seized currency was sent for FSL examination and opinion thereon was
obtained and placed on record. The opinion received revealed that the
seized currency is made of high quality fake notes ; and

4. Whereas, during the course of further investigation, the accused
duo disclosed the name of other three persons namely 1. Maid-ul-Islam
S/o Abdul Zabbar R/o Lusurdi Tola, Mahabbatpur, Kaliachak Malda,
West Bengal 2. Mohd Iqbal S/o Mohd Sharief R/o Gurakhar, Tehsil
Gundho, District Doda and 3. Mushtaq Ahmad R/o Janglat Colony,
Anantnag who have been party to the said crime. They further revealed
that Mohammad Iqbal had deputed them to West Bengal and had
provided them some money along with his own ATM card with the
directions to meet Maid-ul-Islam in West Bengal and collect fake
currency notes and that if additional is required, the same can be
withdrawn from the said ATM Card which was recovered from the
possession of accused Abdul Gani. On this, both the accused went to
West Bengal and collected fake currency from Maid-ul-Islam as per
the directions of Mohd Iqbal. Accordingly accused namely Mohd Iqbal
S/o Mohd Sharief R/o Gurakhar, Tehsil Gandoh, District Doda was
arrested in the case who revealed his link with above mentioned three

No. 9-e] The J&K Govt. Gazette, 30th May, 2019/9th Jyai., 1941. 3
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accused persons and that he has given his ATM card to accused Abdul
Gani Sheikh for withdrawal of money if needed for the purchase of
fake currency.

5. Further, investigation conducted revealed that the accused
namely Abdul Gani Sheikh S/o Ghulam Qadir R/o Gandoh-C, Tehsil
Gandoh, District Doda (b) Abdul Rashid S/o Mohd Shahban R/o
Satkipura Tehsil Bijbehara, District Anantnag (c) Mohd Iqbal S/o Mohd
Sharief R/o Gurakhar, Tehsil Gandoh, District Doda have liaised with
one Maid-ul-Islam S/o Abdul Zabbar R/o Lusurdi Tola, Mahabbatpur,
Kaliachak Malda, West Bengal and Mushtaq Ahmed R/o Junglat Colony,
Anantnag in bringing FICN to the state and are involved in deferring/
weakening the Indian economy. That the name of accused Mushtaq
Ahmad R/o Janglat Colony, Anantnag was dropped from the list of
accused as no such person with such name and address existed in
District Anantnag as was verified from the concerned Police Station
and the report/documents obtained were made part of the CD file.
During the course of investigation, Questionnaires were served to all
the three arrested accused persons who didn't bother to reply till
date ; and

6. Whereas, investigation conducted *prima facie* established
the commission of offences punishable U/Ss 489-B/489-C RPC 15 (1)
(III-a)/RW 16/17 of ULAP Act against two accused persons namely
(1) Abdul Gani Sheikh S/o Ghulam Qadir R/o Gundoo-C, Tehsil Gandoh,
District Doda (2) Abdul Rashid S/o Mohd Shahban R/o Satkipura, Tehsil
Bijbehara, District Anantnag and offence u/s 109 RPC has been proved
against the accused persons namely (3) Mohd Iqbal S/o Mohd Sharief
R/o Gurakhar, Tehsil Gandho, District Doda and (4) Miad-ul-Islam
S/o Abdul Zabbar R/o Lusurdi Tola, Mahabbatpur Kaliachak Malda,
West Bengal. That the accused No. 4 is absconding as he could not
be traced in West Bengal and against whom proceedings u/s 512 have
been initiated ; and

7. Whereas, the Authority appointed by the State Government
under sub-section (2) of section 45 of the Unlawful Activities
(Prevention) Act, 1967, has independently scrutinized the Case Diary
file and all the other relevant documents relating to the case and has

4 The J&K Govt. Gazette, 30th May, 2019/9th Jyai., 1941. [No. 9-e
come to a definite conclusion that this is a fit case for accord of
prosecution sanction against the said accused persons ; and

8. Whereas, after perusing the Case Diary, the relevant documents and also taking into consideration the observations/views of the Authority appointed under sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, the State Government is of the view that there is sufficient material and evidence available against the accused persons for their prosecution under the aforesaid provisions of law.

9. Now, therefore, in exercise of powers conferred by sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, the State Government hereby accords sanction for launching prosecution against the accused persons namely Abdul Gani Sheikh S/o Ghulam Qadir R/o Gandoo-C, Tehsil Gandoh, District Doda and Abdul Rashid S/o Mohd Shaban R/o Satkipura Tehsil Bijbehara, District Anantnag for the commission of offences punishable u/s 15(1) a (III-a) r/w 16/17(b) of the Unlawful Activities (Prevention) Act, 1967 arising out of FIR No. 29/2015 of P/S, Bus Stand, Jammu.

By order of the Government of Jammu & Kashmir.

(Sd.)

Principal Secretary to the Government,
Home Department.

EXTRAORDINARY

REGD. NO. JKô 33



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 132] Jammu, Thu., the 30th May, 2019/9th Jyai., 1941. [No. 9-f

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART I—B

Jammu and Kashmir Government—Notifications.

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GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIATôôHOME DEPARTMENT

Notification

Srinagar, the 30th May, 2019.

SRO-391.ôôWhereas, on 04-01-2017, Police Station, Kothibagh received an information that at Press Colony, Residency Road, Srinagar, Mst. Anjum Zamrooda Habib, Chairperson of Hurriyat Conference women group along with some other women raised anti-national slogans against the Union of India and Government of J&K State and in support and favour of Pakistan, besides damaged the foundation stone laid for multistory parking of Srinagar Development Authority at Lalchowk. This action on part of the accused have encouraged and furthered the agenda of banned organization who are working for the secession of J&K State from the rest of India ; and

No. 9-f] The J&K Govt. Gazette, 30th May, 2019/9th Jyai., 1941. 3
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prosecution against the accused lady namely Zamrooda Habib D/o
Habibullah Bhat R/o Custodian Colony, Parray Pora Baghat, Srinagar
U/S 13 UAP Act in case FIR No. 03/2017 of Police Station, Kothibagh.

By order of the Government of Jammu & Kashmir.

(Sd.)

Principal Secretary to the Government,
Home Department.

EXTRAORDINARY

REGD. NO. JK633



**THE
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separate compilation.

PART I—B

Jammu and Kashmir Government—Notifications.

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GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT DEPARTMENT OF LAW, JUSTICE AND
PARLIAMENTARY AFFAIRS.

Notification

Srinagar 04th of July, 2019.

Whereas, the Government of Jammu and Kashmir intends to appoint Public Notaries under section 3 of the Notaries Act, 1952 for various territorial jurisdictions in Kashmir/Ladakh Divisions ;

Whereas, the candidates listed at annexure have qualified in the interview for appointment as Public Notaries and the Competent Authority has accepted the applications of the said candidates for their appointment as Public Notary for the territorial Jurisdiction shown against each as recommended by the Interview Board.

2 The J&K Govt. Gazette, 4th July, 2019/13th Asad., 1941. [No. 14-1
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Now, therefore, in pursuance of clause (b) of rule 6 of the Notaries Rules, 1956, the name of the said applicants are hereby published in the Government Gazette.

Any person/Society/Association/Authority in the area where the applicants propose to practice as Notary, interested in filing objections to the appointment of the said applicants as Notary may submit the same to the Competent Authority within a period of 07 days from the date of publication of this notice in the Government Gazette.

(Sd.) ACHAL SETHI,
Secretary to Government,
Department of Law, Justice and PA
(Competent Authority under the Notaries Act, 1952).

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Annexure

Annexure

S. No.	Name of the Advocate	Area of Pratices/ Notarial Jurisdiction
1	2	3
1.	Nazia Hashim	Srinagar
2.	Mushtaq Ahmad Bhat	Srinagar
3.	Gousia Jan	Srinagar
4.	Hashmatullah	Srinagar
5.	Iftikhar Ahmad Qadri	Srinagar
6.	Sheema Qulsum	Srinagar
7.	Mirza Aneela Afzal Beg	Srinagar
8.	Arifa Amin Tak	Srinagar
9.	Nazia Hassan	Srinagar
10.	Lateef Ahmad Khan	Beerwah
11.	Yakoob Hussain Sofi	Beerwah
12.	Ghulam Ahmad Mir	D.C. Office, Budgam
13.	Shaista Wani	Magam
14.	Sheikh Ishfaq Rasool	Chadoora
15.	Ali Mohammed Fayaz	D. H. Pora
16.	Shagufta Akhter	Qazigund
17.	Khurshid Ahmad Sheikh	Qazigund
18.	Jasbir Singh	Ashmuqam
19.	Inayatullah Ganai	Anantnag
20.	Tariq Hussain Shah	Pahalgam
21.	Feroz Ahmad Wani	Pahalgam
22.	Abdul Hamid Mir	Shangus
23.	Parvaiz Ahmad Ganai	Anantnag
24.	Khursheed Ahmad Wani	Dooru
25.	Abdul Aziz Shah	D. C. Office, Anantnag

4 The J&K Govt. Gazette, 4th July, 2019/13th Asad., 1941. [No. 14-1
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1	2	3
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26.	Waheeda Akhter	Pulwama
27.	Bilal Ahmad Dhobi	Pulwama
28.	Fayaz Ahmad Ganai	Awantipura
29.	Shoaib Muzaffar	Chandoosa
30.	Abdul Khaliq Sheikh	Boniyar
31.	Faisal Jan	Rafiabad
32.	Ishfaq Ahmad Bhat	Pattan
33.	Shamim Ahmed	Uri
34.	Abdul Rashid Malik	Handwara
35.	Asif Hussain Wani	Trehgam
36.	Ghulam Mohidin Parry	Sumbal
37.	Feroze Ahmad Sofi	Bandipora
38.	Asif Iqbal	Gurez
39.	Nisar Ahmed	Kangan
40.	Abdul Khaliq	Khaltse
41.	Tashi Gyalson	Leh
42.	Sonam Paljor	Leh
43.	Disket Wangmo	Leh
44.	Touseef Ahmad	Leh
45.	Siddharth Norbu	Khaliste
46.	Stanzin Dawa	Leh
47.	Stanzin Dachom	Zanskar
48.	Reyaz Ahmad Khan	Kargil
49.	Amina Bano	Kupwara
50.	Showkat Ali Khan	Anantnag

EXTRAORDINARY

REGD. NO. JK 33



THE JAMMU & KASHMIR GOVERNMENT GAZETTE

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separate compilation.

PART III

Laws, Regulations and Rules passed thereunder.

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THE JAMMU AND KASHMIR STATE LEGAL SERVICES
AUTHORITY (FREE AND COMPETENT LEGAL SERVICES)
REGULATIONS, 2010.

Notification

Jammu, the 28th May, 2019.

No. 01/J&K/SLSA.ô In exercise of the powers conferred by
section 27 of the Jammu and Kashmir State Legal Services Authorities
Act, 1997 (Act XXXIII of 1997, the J&K State Legal Services Authority

hereby makes the following regulations, further to amend the State Legal Services Authority (Free and Competent Legal Services) Regulations, 2010 namely :ô

1. *Short title, extent and commencement.* (1) These regulations may be called the J&K State Legal Services Authority (Free and Competent Legal Services) Amendment Regulations, 2019.

(2) They shall be applicable to State Legal Services Authorities, High Court Legal Services Committee, District Legal Services Authorities and Tehsil Legal Services Committees in the State of J&K.

(3) They shall come into force from the date of their publication in the Official Gazette.

2. *Definitions.* (1) In these regulations, unless the context otherwise requires,

For Regulation 2 clause (e) the following clauses (ea) and (eb) shall be added :—

¹(ea) “**Monitoring and Mentoring Committee**” means the Committees set up under regulation 10 ;

(eb) "Panel Lawyer" means a legal practitioner empanelled as a Panel lawyer under regulation 8 ;

For Regulation 2 clause (g), the following shall be substituted :—

(g) **øPara-Legal Volunteer**” means a para-legal volunteer trained ²under the National Legal Services Authority Scheme for Para Legal Volunteersøand empanelled by a Legal Services Institution ;

For Regulation 2 clause (g), the following clause (ga) shall be inserted :—

³(ga) “**Retainer Lawyer**” means a Panel Lawyer designated as the Retainer Lawyer under sub-regulation (9) of regulation 8 ;

For Regulation 2, the following clause (j) shall be added :ô

(a) “**State regulation**” means regulation made by the State Authority under the Act.

3. For Regulation 4 in clause (1), the following shall be inserted :—

After the words “manned by” the words ⁵“a Retainer Lawyer on rotational basis and” shall be inserted

For Regulation 4 in clause (1), the following shall be added :—

⁶Provided that persons with the qualification of Masters Degree in Social Work or Diploma or Mastersø Degree in psychiatry or psychology from any recognised institute or university may also be called to the front office as and when necessary.

Sub-Regulation 4(2) shall be omitted.

$${}^7(2) \quad \text{*****}$$

For Regulation 4 clauses (3) and (4) following shall be substituted :—

⁸(3) The Para-Legal Volunteers in the front office shall render services such as issuing of simple notices, drafting of applications and petitions, providing basic information on the course of action to be taken in a situation and to act as an intermediary between the persons in need of legal services and the legal services institutions to enable such persons to gain access to justice.

⁹(4) The Para-Legal Volunteers or the panel lawyer or the retainer lawyer, as the case may be, in the front office may obtain secretarial assistance from the staff of the Legal Services Institutions.

Sub-Regulation 4(2) shall be omitted.

¹⁰(5) *****

4. In the Principal Regulation, for Regulation 5, for clauses (1), (2) & (3) the following Regulation shall be substituted namely :ô

¹¹**5. Proof of entitlement of free legal services.—**(1) A self-certificate of the applicant, along with self-attested copy of relevant documents or certificates, if any, that he falls under the categories of persons entitled to free legal services under section 12 of the Act shall ordinarily be sufficient.

¹²(2) *****

¹³(3) *****

5. In the Principal Regulation, for Regulation 7, the following Regulation shall be substituted namely :ô

¹⁴**7. Scrutiny and evaluation of the application for free legal services.**ô (1) The application for legal services, for eligibility of the applicant and existence of a *prima facie* case to prosecute or to defend, shall be scrutinised by the Member-Secretary or Secretary, as the case may be, or any officer, deputed by him :

Provided that a defendant in a civil case and an accused or a convict in a criminal case shall be deemed to have *prima facie* case to defend or to file an appeal against his conviction and sentence :

Provided further that in case, there is some difficulty to determine the *prima facie* case to prosecute, the Member-Secretary or Secretary may for this purpose, seek opinion from a panel lawyer having more than seven years standing at the Bar :

Provided further that in case of the Supreme Court Legal Services Committee, the Secretary shall seek opinion from an Advocate having more than fifteen years standing at the Bar.

(2) A decision on application for legal services shall be taken immediately, but not more than seven days from the date of receipt of the application.

- (a) fifteen in the High Court Legal Services Committee ;
- (b) ten in the District Legal Authority ;
- (c) five in the Tehsil Legal Services Committee.

(a) Rs. 10,000/- rupees ten thousand per month in the case of State Legal Services Authority or High Court Legal Services Committee ;

(b) Rs. 7500/- rupees Seven thousand five hundred per month in the case of District Legal Services Authority and Armed Forces Tribunal.

(c) Rs. 5000/- rupees Five thousand per month in the case of the Tehsil Legal Services Committee :

ø8(11) The panel prepared under sub-regulation (2) for the period of three years shall also be reviewed and updated periodically by the Executive Chairman or the Chairman, as the case may be, keeping in view the performance of the panel lawyersö.

8(16) (i) The panel lawyers shall undergo training periodically as per modules prepared by the National Legal Services Authority and the State Legal Services Authority.

(ii) The participation in the training programme shall be a relevant consideration for the retention or continuation of panel lawyers.

(ii) Secretary, High Court Legal Services Committee.

(3) The Monitoring and Mentoring Committee at the State or District Legal Services Authority shall consist of,ô

- (i) Member-Secretary or Secretary of the Legal Services Institution, as the case may be ;
- (ii) one serving judicial officer from the State Higher Judicial Service ;
- (iii) one retired judicial officer or one Advocate of fifteen years standing or more.

(4) The Monitoring and Mentoring Committee at the Tehsil Legal Services Committee shall consist of :ô

- (i) Chairman of the Tehsil Legal Services Committee ;
- (ii) one retired judicial officer ; or
- (iii) one advocate of 10 years standing or more.

(5) The members of the Monitoring and Mentoring Committee shall render their services on the days as may be required and fixed by the Executive Chairman or Chairman of the Legal Services Institution and the members except serving Judicial Officers shall be paid the honorarium as fixed by the Executive Chairman.

9. In the Principal Regulation, for Regulation 11, the following Regulation shall be substituted namely :ô

¹⁷11. Procedure of the Monitoring and Mentoring

Committee.ô (1) Whenever court based legal aid is provided to an applicant, the Member-Secretary or Secretary as the case may be, shall send the details in Form-II to the Monitoring and Mentoring Committee at the earliest.

(2) The Legal Services Institution shall provide adequate staff and infrastructure to the Monitoring and Mentoring Committee for maintaining the records of the day-to-day progress of the legal aided cases.

(3) The Monitoring and Mentoring Committee shall assist the Legal Services Institution in organising training programmes for panel lawyers from time-to-time to enhance the skill of the panel lawyers.

(4) The Monitoring and Mentoring Committee shall mentor the panel lawyers and guide them in providing quality legal services.

(5) The Monitoring and Mentoring Committee shall maintain a register for legal aided cases for monitoring the day-to-day progress of the case and the end result (success or failure) in respect of cases for which legal aid is allowed and the said register shall be scrutinized every month by the Member-Secretary or Secretary or the Chairman, as the case may be.

(6) The Legal Services Institution may request the Presiding Officer of the court to allow access to the registers maintained by the court for ascertaining the progress of the cases.

(7) The Monitoring and Mentoring Committee shall keep a watch on the progress of the case by calling for reports from the panel lawyers within such time as may be determined by the Committee.

(8) If the progress of the case is not satisfactory, the Committee may advise the Legal Services Institution to take appropriate steps.

(9) The Committees shall meet at least once in a fortnight.

(10) The Monitoring and Mentoring Committee may meet as and when the meeting is convened by the Member-Secretary or the Secretary as the case may be.

10. In the principal regulations, in regulation 12, for the words “Monitoring Committee” occurring at both the places, the words **“Monitoring and Mentoring Committee”** shall be substituted.

11. In the principal regulations, in regulation 13, for the words “Monitoring Committee” occurring at both the places, the words **“Monitoring and Mentoring Committee”** shall be substituted.

12. In the principal regulations, in regulation 15, for the words "Monitoring Committee", the words **"Monitoring and Mentoring Committee"** shall be substituted.

13. In the principal regulations, in regulation 16, for the words "Monitoring Committee", the words **"Monitoring and Mentoring Committee"** shall be substituted.

14. In Form II of the principal regulations, in the heading, for the words "Monitoring Committee" the words **"Monitoring and Mentoring Committee"** shall be substituted.

Member-Secretary.